### Tuesday, April 24, 1984

### Senate

### Chamber Action

Routine Proceedings, pages 9639-9697

Measures Introduced: Six bills and four resolutions were introduced, as follows: S. 2582-2587, S.J. Res. 277-278, S. Con. Res. 106, and S. Res. 371.

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Measures Reported: Reports were made as follows: Reported on April 18, during the adjournment:

H.R. 4504, to provide that the chairmanship of the Commission on Security and Cooperation in Europe shall rotate between members appointed from the House of Representatives and members appointed from the Senate, with an amendment in the nature of a substitute. (S. Rept. No. 98–398)

S. Con. Res. 106, setting forth the congressional budget for the United States Government for the fiscal years 1985, 1986, and 1987 and revising the congressional budget for the United States Government for the fiscal year 1984 (with additional and

minority views). (S. Rept. No. 98-399)

- S. 2582, to provide a supplemental authorization of appropriations for the fiscal year 1984 for certain foreign assistance programs; to amend the Foreign Assistance Act of 1961, the Arms Export Control Act and other Acts to authorize appropriations for the fiscal year 1985 for international security and development assistance, for the Peace Corps, and the International Development Association, and for other purposes (with additional views). (S. Rept. No. 98–400)
- S. 2311, to amend the provisions of the Public Health Service Act relating to health maintenance organizations, with amendments. (S. Rept. No. 98-401)
- S. 2061, to declare certain lands held by the Seneca Nation of Indians to be part of the Allegany Reservation in the State of New York. (S. Rept. No. 98–402)

S. 2468, to declare that the United States holds certain lands in trust for the Makah Indian Tribe,

Washington. (S. Rept. No. 98-403)

S. 1979, to confirm the boundaries of the Southern Ute Indian Reservation in the State of Colorado and to define jurisdiction within such reservations, with an amendment in the nature of a substitute. (S. Rept. No. 98–404)

S. 1196, to confer jurisdiction on the United States Claims Court with respect to certain claims of the Navajo Indian Tribe, with amendments. (S. Rept.

No. 98-405)

S. 1967, to compensate the Gros Ventre and Assiniboine Tribes of the Fort Belknap Indian Com-

munity for irrigation construction expenditures, with amendments. (S. Rept. No. 98-406)

- S. 2177, to provide for the use and distribution of the Lake Superior and Mississippi Bands of Chippewa Indians judgment funds in docket 18–S and the Lake Superior Band of Chippewa Indians judgment funds in docket 18–U, before the Indian Claims Commission, and for other purposes, with amendments. (S. Rept. No. 98–407)
- S. 2184, to amend the Native American Programs Act of 1974 to impose certain limitations with respect to the administration of such Act and to authorize appropriations under such Act for fiscal years 1985, 1986, and 1987, and for other purposes, with amendments. (S. Rept. No. 98–408)
- S. 2403, to declare that the United States holds certain lands in trust for the Pueblo de Cochiti, with amendments. (S. Rept. No. 98–409)

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Reported today:

- S. 2000, to allow variable interest rates for Indian funds held in trust by the United States, with an amendment. (S. Rept. No. 98-410)
- S. Res. 361, waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of H.R. 71, to authorize and direct the Secretary of the Interior to engage in a special study of the potential for groundwater recharge in the High Plains States, and for other purposes.

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Miscellaneous Tariff, Trade, and Customs Matters: Senate resumed consideration of H.R. 2163, making miscellaneous amendments to the tariff and trade laws of the United States, with a committee amendment in the nature of a substitute and the following additional amendment proposed thereto:

Pending:

Baker Amendment No. 3027, to further reduce deficits by including reconciliation provisions and appropriations caps for defense and non-defense discretionary spending for fiscal years 1985, 1986 and 1987.

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Senate will continue consideration of the bill and amendments thereto on Wednesday, April 25.

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaties transmitted to the Senate by the President of the United States, during the adjournment of the Senate:

- (1) Extradition Treaty with Thailand (Treaty Doc. No. 98-16), received on April 13;
- (2) Extradition Treaty with Costa Rica (Treaty Doc. No. 98-17), received on April 17;
- (3) Extradition Treaty with Jamaica (Treaty Doc. No. 98-18), received on April 17;

(4) Extradition Treaty with Ireland (Treaty Doc. No. 98-19), received on April 18;

(5) Extradition Treaty with Italy (Treaty Doc. No. 98-20), received on April 18;

(6) Tax Protocol with France (Treaty Doc. No. 98-21), received on April 18; and

(7) Tax Protocol with Canada (Treaty Doc. No.

98-22), received on April 19.

The treaties were considered as having been read the first time, and referred with accompanying papers to the Committee on Foreign Relations, and ordered to be printed.

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Messages From the President: Senate received the following messages from the President of the United States during the adjournment:

On April 13:

(1) Transmitting the 18th Annual Report of the National Endowment for the Humanities, covering 1983; referred to the Committee on Labor and Human Resources. (PM-129)

On April 17:

(2) Transmitting the 27th Annual Report on the Trade Agreements Program, covering 1983; referred to the Committee on Finance. (PM-130)

(3) Transmitting the Fifth Annual Report of the Federal Labor Relations Authority, covering Fiscal Year 1983; referred to the Committee on Governmental Affairs. (PM-131)

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Nominations Received: Senate received the following nominations during the adjournment:

On April 13:

Joel Gerber, of Virginia, to be a Judge of the United States Tax Court.

On April 18:

Lloyd D. George, to be United States District Judge for the District of Nevada.

1 Army nomination in the rank of general.

1 Air Force nomination in the rank of general.

On April 19:

S. L. Abbott, of Texas, to be Ambassador to the Kingdom of Lesotho.

James P. Wade, Jr., of Virginia, to be an Assistant Secretary of Defense.

Everett Pyatt, of Virginia, to be an Assistant Secretary of the Navy.

Ann S. Peterson, of Illinois, to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences.

Virgil E. Brown, of Ohio, to be a Member of the Advisory Board of the Saint Lawrence Seaway De-

velopment Corporation.

John R. Wall, of Ohio, to be a Member of the Advisory Board of the Saint Lawrence Seaway Development Corporation.

William W. Hoover, of Maryland, to be an Assistant Secretary of Energy (Defense Programs).

Naomi Brummond, of Nebraska, to be a Member of the National Advisory Council on Women's Educational Programs.

Peter D. Keisler, of Connecticut, to be a Member of the National Advisory Council on Women's Educational Programs.

Jacqueline E. Schafer, of New York, to be a Member of the Council on Environmental Quality.

Bernadine H. Bulkley, of Maryland, to be an Associate Director of the Office of Science and Technology Policy.

Clyde A. Bragdon, Jr., of California, to be Administrator of the United States Fire Administration, Federal Emergency Management Agency.

William B. Allen, of California, to be a Member of the National Council on the Humanities.

Mary Josephine Conrad Cresimore, of North Carolina, to be a Member of the National Council on the Humanities.

Leon R. Kass, of Illinois, to be a Member of the National Council on the Humanities.

Kathleen S. Kilpatrick, of Connecticut, to be a Member of the National Council on the Humanities.

James V. Schall, of California, to be a Member of the National Council on the Humanities.

Helen Marie Taylor, of Virginia, to be a Member of the National Council on the Humanities.

Victor M. Rivera, of Virginia, to be an Assistant Administrator of the Agency for International Development.

Routine lists of Army, Air Force, Navy, Marine Corps and Coast Guard nominations.

On April 23:

Michael H. Armacost, of Maryland, to be Under Secretary of State for Political Affairs.

Harold P. Goldfield, of New York, to be an Assistant Secretary of Commerce.

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Nominations Confirmed: Senate confirmed the following nominations:

Edward Leavy, of Oregon, to be United States District Judge for the District of Oregon.

William D. Browning, to be United States District Judge for the District of Arizona.

Joseph J. Longobardi, to be United States District Judge for the District of Delaware.

Terrence W. Boyle, to be United States District Judge for the Eastern District of North Carolina.

Daniel R. Lopez, of California, to be a Commissioner of the United States Parole Commission.

Mario F. Aguero, of New York, to be a Commissioner of the Copyright Royalty Tribunal.

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Statements on Introduced Bills:

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Amendments Submitted:

Page 9668

Notices of Hearings:

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Committee Authority To Meet:

Page 9671

**Additional Statements:** 

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Recess: Senate convened at 11 a.m., and recessed at 4:00 p.m., until 12 noon, on Wednesday, April 25, 1984.

# Committee Meetings APPROPRIATIONS—HHS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies held hearings on proposed budget estimates for fiscal year 1985 for certain programs of the Department of Health and Human Services, receiving testimony from numerous public witnesses.

Subcommittee will meet again tomorrow.

#### APPROPRIATIONS—U.S COAST GUARD

Committee on Appropriations: Subcommittee on Transportation and Related Agencies held hearings on proposed budget estimates for fiscal year 1985 for the U.S. Coast Guard, receiving testimony from Admiral James S. Gracey, Commandant, U.S. Coast Guard, Department of Transportation.

Subcommittee will meet again on Wednesday, May 2.

# AUTHORIZATIONS—MILITARY PROCUREMENT

Committee on Armed Services: Subcommittee on Strategic and Theater Nuclear Forces resumed open and closed hearings on S. 2414, authorizing funds for fiscal year 1985 for military procurement programs of the Department of Defense, focusing on the Administration's strategic defense initiative, receiving testimony from Lt. General James A. Abrahamson, Director, Strategic Defense Initiative; Brig. General Robert Rankine, Assistant for Directed Energy Weapons, and John L. Gardner, Director, Defensive Systems, both of the Office of the Under Secretary of Defense for Research and Engineering; Major General Alvin R. Heiberg, USA, Manager, Ballistic Missile Defense Program; and numerous public witnesses.

Subcommittee will meet again on Thursday, April 26.

### AUTHORIZATIONS—NATURAL GAS PIPELINE SAFETY/HAZARDOUS LIQUID PIPELINE SAFETY/HAZARDOUS MATERIALS TRANSPORTATION

Committee on Commerce, Science, and Transportation: Subcommittee on Surface Transportation concluded hearings on proposed legislation authorizing funds for 1985 and 1986 for the Research and Special Programs Administration, Department of Transporta-

tion, focusing on pipeline and hazardous materials transportation safety programs, after receiving testimony from Senator Specter; M. Cynthia Douglass, Administrator, Research and Special Programs Administration, Department of Transportation; Judith M. Espinosa, New Nexico Secretary of Transportation, Santa Fe; Darrell McKown, West Virginia Public Service Commission, Charleston, representing the National Association of Regulatory Utility Commissioners; George Ruberg, New Orleans, Louisiana, on behalf of the National Association of Local Governments on Hazardous Wastes; Thomas X. White, Greenbelt, Maryland, on behalf of the National League of Cities; Don R. Merriman, Buckeye Pipeline Company, Emmaus, Pennyslvania, on behalf of the Association of Oil Pipelines and the American Petroleum Institute; Bernard Liebler, American Gas Association, and Daniel N. Myers, National LP-Gas Association, both of Arlington, Virginia; George F. Bobbitt, Tenneco, Inc., Houston, Texas; Tom Fleming, Fleming-Tegarden Associates, Nashville, Tennessee; and Lawrence J. Odgen. Interstate Natural Gas Association of America. Marlow W. Cook, Bishop, Liberman, Cook, Purcell, and Reynolds, Clifford J. Harvison, National Tank Truck Carriers, Inc., James A. Doyle, Hazardous Materials Advisory Council, and Fred Millar, Environmental Policy Institute, all of Washington, D.C.

# CONSERVATION AND RENEWABLE ENERGY

Committee on Energy and Natural Resources: Subcommittee on Energy Research and Development concluded oversight hearings to review proposed budget requests for fiscal year 1985 for conservation and renewable energy programs of the Department of Energy, after receiving testimony from W. Patrick Collins, Under Secretary of Energy; Alvin Hildebrandt and Frank Duquette, both representing Solar Energty Industries Associates, Huntington Beach, California; Stuart L. Ridgway, R&D Associates, Marina del Rey, California, William D. Lang, Institute of Electrical and Electronics Engineers. Washington, D.C.; J. Hilbert Anderson, Sea Solar Power, York, Pennsylvania; and Lloyd R. Lawrence, Jr., Mechanical Technology, Inc., Latham, New York.

# AUTHORIZATIONS—FEDERAL AID HIGHWAY PROGRAM

Committee on Environment and Public Works: Subcommittee on Transportation approved for full committee consideration with amendments S. 2527, authorizing funds for the Federal aid highway program of the Department of Transportation.

The full committee will consider the aforementioned bill on Tuesday, May 1.

#### LOCAL GOVERNMENT ANTITRUST

Committee on the Judiciary: Committee concluded hearings on S. 1578, to clarify the application of the Federal antitrust laws to local governments stipulating that Federal antitrust laws would not override any local law or action that is valid under state law, after receiving testimony from Senator Durenberger; J. Paul McGrath, Assistant Attorney General, Antitrust Division, Department of Justice; Mayor Joseph Riley, Charleston, South Carolina, on behalf of the National League of Cities; Mayor William J. Althaus, York, Pennsylvania, on behalf of the U.S. Conference of Mayors; James C. Leventis, Columbia, South Carolina, on behalf of the National Assocation of Counties; Milton Handler, Kaye, Scholer, Fierman, Hays, & Handler, New York City; Carlos Smith, Chattanooga, Tennessee, on behalf of the American Public Power Association; Michael Lovendusky, American Ambulance Association, Washington, D.C.; and Stuart C. Egger, Hillsborough County Aviation Authority, Tampa, Florida, on behalf of the Airport Operator Council International.

# PRESIDENTIAL AND CONGRESSIONAL TERMS OF OFFICE

Committee on the Judiciary: Subcommittee on the Constitution concluded hearings on S.J. Res. 71, proposing an amendment to the Constitution of the United States to provide that presidential and vice presidential terms of office shall commence on the 20th day of November and that congressional terms of office shall commence on the 15th day of November in the year of elections to such offices, after receiving testimony from Senators Pell and Mathias; Former Senator Hugh Scott; Harrison Wellford, Wellford, Wegman, Krulwich, Gold and Hoff, Stephen J. Wayne, George Washington University, Norman J. Ornstein, American Enterprise Institute, and John W. Macy, Jr., all of Washington, D.C.; and Paul David, University of Virginia, Charlottesville.

# IMPACT OF MEDIA COVERAGE OF RAPE TRIALS

Committee on the Judiciary: Subcommittee on Criminal Law concluded hearings to review the impact of media coverage of rape cases and rape trials, focusing on whether publicity at rape trials deters future victims from reporting crimes, after receiving testimony from Ronald A. Pena, District Attorney for Bristol County, Massachusetts, and James M. Ragsdale, The Standard-Times, both of New Bedford, Massachusetts; Lynn Marks, Women Organized Against Rape, Philadelphia, Pennsylvania; Jo Beaudry, Victim-Witness Services, Milwaukee, Wisconsin; Ed Godfrey, Radio-Television News Directors Association, Washington, D.C.; Jennifer Barr,

Howard County, Maryland; and Ellen Guyker, Bowie, Maryland.

### **EQUAL RIGHTS AMENDMENT**

Committee on the Judiciary: On Monday, April 23, the Subcommittee on the Constitution resumed hearings on S.J. Res. 10, proposing an amendment to the Constitution of the United States relative to equal rights for women and men, receiving testimony from Judith W. Wegner, University of North Carolina, Chapel Hill; and Edward J. Erler, Washington, D.C.

Hearings continue on Wednesday, May 23.

# AUTHORIZATIONS—PUBLIC HEALTH SERVICE

Committee on Labor and Human Resources: Subcommittee on Family and Human Services held hearings on proposed legislation authorizing funds for programs of the Public Health Service Act, focusing on title XX (adolescent family life demonstration projects), and to review the adolescent pregnancy problem, receiving testimony from Senator Grassley; Edward J. Brandt, Jr., Assistant Secretary of Health and Human Services for Health; Marjory Mecklenburg, Director, Office of Adolescent Pregnancy Programs, and Deputy Assistant Secretary for Population Affairs, Department of Health and Human Services; Sister Mary William Sullivan and Christy, both representing the Catholic Family Service, Inc., Amarillo, Texas; Peggy Sanchez and Heather Davis, both representing Project H.E.L.P., St. Petersburg, Florida; Terrance D. Olson, Brigham Young University, Provo, Utah; Marion Howard, Emory University, Atlanta, Georgia; Edmund V. Mech, University of Illinois, Urbana; and Janet Hardy, Johns Hopkins Hospital, Baltimore, Maryland.

Hearings continue on Thursday, April 26.

#### OCCUPATIONAL DISEASE

Committee on Labor and Human Resources: Subcommittee on Labor held oversight hearings to examine the scope and impact of certain occupational diseases, receiving testimony from William J. Nicholson, Mt. Sinai School of Medicine, New York City; Paul S. Wheeler, Johns Hopkins Medical Institutions, Baltimore, Maryland; Robert N. Jones, American Lung Association and American Thoracic Society, New Orleans, Louisiana; James E. Vermeulen, Asbestos Victims of America, Capitola, California; Frederick M. Baron, Frederick M. Baron and Associates, Dallas, Texas; and James S. Kakalik, Rand Corporation, Santa Monica, California.

Hearings continue on Monday, April 30.

## House of Representatives

### Chamber Action

Bills Introduced: 3 public bills, H.R. 5501-5503; and 4 resolutions, H.J. Res. 551-553, and H. Con. Res. 293 were introduced.

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Bills Reported: Reports were filed as follows:

H.R. 5064, to amend title 10, United States Code, to provide for more cost effective and efficient purchases of spare parts by the Department of Defense, amended (H. Rept. 98-690, filed on April 18);

H.R. 5167, Department of Defense Authorization Act of 1985, amended (H. Rept. 98-691, filed on

April 19);

Report entitled "Confusion in the Legal Framework of the American Financial System and Services Industry" (H. Rept. 98-692);

H.R. 4361, to promote the commercial application and diffusion of advanced technology within industrial sectors, amended (H. Rept. 98-693);

H.R. 4009, to modernize the Federal Reserve

System, amended (H. Rept. 98-694);

H.R. 5278, to amend the Federal Reserve Act to increase the number of class C directors of Federal Reserve banks (H. Rept. 98-695); and

H.R. 3457, Soil Conservation Act of 1984, amend-

ed (H. Rept. 98-696).

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Late Report: Committee on Agriculture received permission to have until midnight tonight to file a report on H.R. 3457, Soil Conservation Act of 1984. Page 9708

Presidential Messages: Read the following mes-

sages from the President:

Humanities: Message transmitting the 18th annual report of the National Endowment for the Humanities covering the year 1983-referred to the Committee on Education and Labor;

Trade Agreements Program: Message transmitting the 27th annual report on the Trade Agreements Program, 1983-referred to the Committee on Ways

and Means; and

Federal labor relations: Message transmitting the 5th annual report of the Federal Labor Relations Authority which covers fiscal year 1983-referred to the Committee on Post Office and Civil Service.

Arctic Research/Critical Materials Policy: By a yea-and-nay vote of 253 yeas to 1 nay with 1 voting "present", Roll No. 91, the House passed S. 373, to provide comprehensive national policy dealing with national needs and objectives in the Arctic.

Agreed to the committee amendment in the

nature of a substitute.

Agreed To:

An amendment, as amended, that provides new language for Arctic research and policy provisions;

A technical amendment to the critical materials provisions.

Agreed to amend the title.

H. Res. 482, the rule under which the bill was considered, was agreed to earlier by a voice vote.

Quorum Calls-Votes: One yea-and-nay vote developed during the proceedings of the House today and appears on page 9724. There were no quorum

Adjournment: Met at noon and adjourned at 4:02

### Committee Meetings

### LABOR-HHS-EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor-HHS-Education continued appropriation hearings. Testimony was heard from Members of Congress and public witnesses.

Hearings continue tomorrow.

#### TRANSPORTATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation continued appropriation hearings. Testimony was heard from Members of Congress and public witnesses.

Hearings continue tomorrow.

#### HEALTH SERVICES RESEARCH

Committee on Energy and Commerce: Subcommittee on Health and the Environment held a hearing on health services research. Testimony was heard from Dr. Edward N. Brandt, Jr., Assistant Secretary for Health, Department of Health and Human Services; and public witnesses.

Hearings continue April 27.

### PUBLIC HEALTH SERVICE ACT REAUTHORIZATION

Committee on Energy and Commerce: Subcommittee on Health and the Environment held a hearing on issues related to the reauthorization of title VII and title VIII of the Public Health Service Act. Testimony was heard from Dr. Robert Graham, Administrator, Health Resources and Services Administration, Department of Health and Human Services; and public witnesses.

# NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION AUTHORIZATION

Committee on Energy and Commerce: Subcommittee on Telecommunications, Consumer Protection and Finance held a hearing on H.R. 5497, to authorize appropriations for the National Telecommunications and Information Administration for fiscal years 1985 and 1986. Testimony was heard from David J. Markey, Assistant Secretary for Communications and Information, Department of Commerce.

#### OVERSIGHT—FBI AUTHORIZATION

Committee on the Judiciary: Subcommittee on Civil and Constitutional Rights continued oversight hearings on FBI Authorization request for fiscal year 1985. Testimony was heard from William H. Webster, Director, FBI, Department of Justice.

#### SENIOR EXECUTIVE SERVICE

Committee on Post Office and Civil Service: On April 13, the Subcommittee on Civil Service concluded hearings on the Senior Executive Service. Testimony was heard from Dr. Thomas P. Christie, Deputy Director for General Purpose Programs, Office of the Secretary of Defense; Dr. Harriet G. Jenkins, Assistant Administrator for Equal Opportunity Programs, NASA; Dr. Thomas E. Malone, Deputy Director, NIH, Department of Health and Human Services; Donald J. Devine, Director, Office of Personnel Management; Dennis Devaney, member, Merit Systems Protection Board; and a public witness.

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## Wednesday, April 25, 1984

### Senate

### Chamber Action

Routine Proceedings, pages 9803-9914

Measures Introduced: Ten bills and six resolutions were introduced, as follows: S. 2588-2597, S.J. Res. 279-282, S. Con. Res. 107, and S. Res. 372.

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Measures Reported: Reports were made as follows: S. 2100, to authorize the Secretary of the Army to sell ammunition for use for avalanche-control purposes. (S. Rept. No. 98-411)

S. 2597, to authorize the awarding of special congressional gold medals to the daughter of Harry S Truman, to Lady Bird Johnson, and to Elie Wiesel.

Measures Passed:

Private Relief: Senate passed S. 1126, for the relief of a private citizen.

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Referral to U.S. Claims Court: Senate agreed to S. Res. 48, referring S. 413, a private relief bill, to the Chief Judge of the United States Claims Court.

Private Relief: Senate passed S. 1989, for the relief of a private citizen, after agreeing to a committee amendment in the nature of a substitute.

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American Gold Star Mothers, Incorporated: Senate passed S. 2413, recognizing the organization known as the American Gold Star Mothers, Incorporated, after agreeing to committee amendments thereto.

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Solidarity Sunday: Senate agreed to S. Res. 367, expressing the sense of the Senate in support of "Solidarity Sunday."

Page 9857

National Nursing Home Residents Day: Senate passed S.J. Res. 198, designating April 27, 1984, as "National Nursing Home Residents Day."

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National Women Veterans Recognition Week: Senate passed S.J. Res. 227, designating the week beginning November 11, 1984, as "National Women Veterans Recognition Week." Page 9859

National Asthma and Allergy Awareness Week: Senate passed S.J. Res. 244, designating the week beginning on May 6, 1984, as "National Asthma and Allergy Awareness Week."

Credit and Debit Card Counterfeiting and Fraud Act: Senate passed S. 1870, providing penalties for certain offenses involving counterfeiting and trafficking in phony credit and debit cards and related fraud, after agreeing to committee amendments and the following amendments proposed thereto:

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(1) Baker (for Dole) Amendment No. 3029, encouraging the establishment of a system to positively verify persons holding and using payment devices.

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(2) Baker (for Thurmond) Amendment No. 3030, of a technical nature. Page 9823

Child Support Enforcement Amendments: By unanimous vote of 94 yeas (Vote No. 79), Senate passed H.R. 4325, amending part D (Child Support and Establishment of Paternity) of Title IV of the Social Security Act, to assure improvement in the child support enforcement program, after agreeing